

(b) Formal application (FCC Form 346) is required for any of the following changes:

(1) Replacement of the transmitter as a whole, except replacement with a transmitter of identical power rating which has been certificated by the FCC for use by low power TV, TV translator, and TV booster stations, or any change which could result in a change in the electrical characteristics or performance of the station.

(2) Any change in the transmitting antenna system, including the direction of radiation, directive antenna pattern, antenna gain, transmission line loss characteristics, or height of antenna center of radiation.

(3) Any change in the overall height of the antenna structure, except where notice to the Federal Aviation Administration is specifically not required under § 17.14(b) of this chapter.

(4) Any horizontal change of the location of the antenna structure which would (i) be in excess of 152.4 meters (500 feet), or (ii) require notice to the Federal Aviation Administration pursuant to § 17.7 of the FCC's Rules.

(5) A change in frequency assignment.

(6) Any changes in the location of the transmitter except within the same building or upon the same pole or tower.

(7) A change of authorized operating power.

(c) Other equipment changes not specifically referred to in paragraphs (a) and (b) of this section may be made at the discretion of the licensee, provided that the FCC in Washington, DC, Attention: Video Services Division, Mass Media Bureau, is notified in writing upon the completion of such changes.

(d) Upon installation of new or replacement transmitting equipment for which prior FCC authority is not required under the provisions of this section, the licensee must place in the station records a certification that the new installation complies in all respects with the technical requirements

of this part and the station authorization.

[28 FR 13722, Dec. 14, 1963, as amended at 38 FR 6827, Mar. 13, 1973; 39 FR 38652, Nov. 1, 1974; 45 FR 26067, Apr. 17, 1980; 47 FR 21501, May 18, 1982; 48 FR 41423, Sept. 15, 1983; 50 FR 23710, June 5, 1985; 52 FR 31405, Aug. 20, 1987; 63 FR 33879, June 22, 1998; 63 FR 36605, July 7, 1998]

EFFECTIVE DATE NOTE: At 63 FR 36605, July 7, 1998, in § 74.751 paragraphs (a) and (b)(1) were amended by removing the term "type accepted" and inserting in its place the term "certificated", effective Oct. 5, 1998.

§ 74.761 Frequency tolerance.

The licensee of a low power TV, TV translator, or TV booster station shall maintain the transmitter output frequencies as set forth below. The frequency tolerance of stations using direct frequency conversion of a received signal and not engaging in offset carrier operation as set forth in paragraph (d) of this section will be referenced to the authorized plus or minus 10 kHz offset, if any, of the primary station.

(a) The visual carrier shall be maintained to within 0.02 percent of the assigned visual carrier frequency for transmitters rated at not more than 100 watts peak visual power.

(b) The visual carrier shall be maintained to within 0.002 percent of the assigned visual carrier frequency for transmitters rated at more than 100 watts peak visual power.

(c) The aural carrier of stations employing modulating equipment shall be maintained at $4.5 \text{ MHz} \pm 1 \text{ kHz}$ above the visual carrier frequency.

(d) The visual carrier shall be maintained to within 1 kHz of the assigned channel carrier frequency if the low power TV, TV translator, or TV booster station is authorized with a specified offset designation in order to provide protection under the provisions of § 74.705 or § 74.707.

[43 FR 1952, Jan. 13, 1978, as amended at 52 FR 31405, Aug. 20, 1987]

§ 74.762 Frequency measurements.

(a) The licensee of a low power TV station, a TV translator, or a TV booster station must measure the carrier

frequencies of its output channel as often as necessary to ensure operation within the specified tolerances, and at least once each calendar year at intervals not exceeding 14 months.

(b) In the event that a low power TV, TV translator, or TV booster station is found to be operating beyond the frequency tolerance prescribed in § 74.761, the licensee promptly shall suspend operation of the transmitter and shall not resume operation until transmitter has been restored to its assigned frequencies. Adjustment of the frequency determining circuits of the transmitter shall be made only by a qualified person in accordance with § 74.750(g).

[52 FR 31405, Aug. 20, 1987]

§ 74.763 Time of operation.

(a) A low power TV, TV translator, or TV booster station is not required to adhere to any regular schedule of operation. However, the licensee of a TV translator or TV booster station is expected to provide service to the extent that such is within its control and to avoid unwarranted interruptions in the service provided.

(b) In the event that causes beyond the control of the low power TV or TV translator station licensee make it impossible to continue operating, the licensee may discontinue operation for a period of not more than 30 days without further authority from the FCC. Notification must be sent to the FCC in Washington, DC, Attention: Video Services Division, Mass Media Bureau, not later than the 10th day of discontinued operation. During such period, the licensee shall continue to adhere to the requirements in the station license pertaining to the lighting of antenna structures. In the event normal operation is restored prior to the expiration of the 30 day period, the FCC in Washington, DC, Attention: Video Services Division, Mass Media Bureau, shall be notified in writing of the date normal operations resumed. If causes beyond the control of the licensee make it impossible to comply within the allowed period, a request for Special Temporary Authority (see § 73.1635 of this chapter) shall be made to the FCC no later than the 30th day for such additional time as may be deemed necessary.

(c) Failure of a low power TV, TV translator, or TV booster station to operate for a period of 30 days or more, except for causes beyond the control of the licensee, shall be deemed evidence of discontinuation of operation and the license of the station may be cancelled at the discretion of the FCC. Furthermore, the station's license will expire as a matter of law, without regard to any causes beyond control of the licensee, if the station fails to transmit broadcast signals for any consecutive 12-month period, notwithstanding any provision, term, or condition of the license to the contrary.

(d) A television broadcast translator station shall not be permitted to radiate during extended periods when signals of the primary station are not being retransmitted.

[28 FR 13722, Dec. 14, 1963, as amended at 52 FR 7423, Mar. 11, 1987; 52 FR 31405, Aug. 20, 1987; 61 FR 28768, June 6, 1996; 63 FR 33879, June 22, 1998]

§ 74.765 Posting of station and operator licenses.

(a) The station license and any other instrument of authorization or individual order concerning the construction of the station or manner of operation shall be kept in the station record file so as to be available for inspection upon request of authorized representatives of the FCC.

(b) The call sign of the station, together with the name, address, and telephone number of the licensee or local representative of the licensee, if the licensee does not reside in the community served by the station, and the name and address of the person and place where the station records are maintained, shall be displayed at the transmitter site on the structure supporting the transmitting antenna, so as to be visible to a person standing on the ground. The display shall be maintained in legible condition by the licensee.

[47 FR 21502, May 18, 1982, as amended at 52 FR 7423, Mar. 11, 1987; 60 FR 55483, Nov. 1, 1995]

§ 74.769 Copies of rules.

The licensee or permittee of a station authorized under this subpart shall have a current copy of Volume I and